

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE WORLD TRADE CENTER
DISASTER SITE LITIGATION

JOSEPH BERARDI, *et al.*,

Plaintiffs,

-against-

THE CITY OF NEW YORK, *et al.*,

Defendants.

**STIPULATED ORDER OF DISMISSAL
WITH PREJUDICE PURSUANT TO
FINAL SETTLEMENT AGREEMENT**

21 MC 100 (AKH)

THIS STIPULATED ORDER PERTAINS TO
ALL PLAINTIFFS AND DOCKET
NUMBERS SET FORTH ON EXHIBIT A

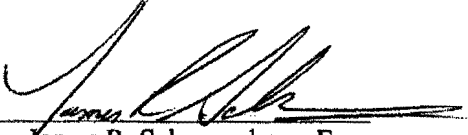
IT IS HEREBY STIPULATED AND AGREED by and between certain Plaintiffs represented by Bamundo, Zwal & Schermerhorn, LLP, identified on Exhibit A hereto ("Plaintiffs"), and the Defendants identified on Exhibit B ("Settling Defendants") that:


1. Plaintiffs and Settling Defendants have entered into a settlement agreement resolving all claims by Plaintiffs against Settling Defendants in the above-captioned action.
2. Plaintiffs have executed releases and covenants not to sue in which Plaintiffs have released the Settling Defendants and each of them from any and all obligations and liability to Plaintiffs for past, present, and future injuries arising out of or relating in any way to World Trade Center-related rescue, recovery and/or debris-removal operations and/or clean-up at any location on and/or after September 11, 2001. Accordingly, Plaintiffs' claims against the Settling Defendants and each of them shall be dismissed, and hereby are dismissed, with prejudice;
3. The Primary Plaintiffs identified on Exhibit A also have executed before a notary public documents evidencing their understanding that they are foreclosed from suing the Settling Defendants or any of them in the future for currently unknown, future injuries arising out of or

relating in any way to World Trade Center-related rescue, recovery and/or debris-removal operations and/or clean-up at any location on and/or after September 11, 2001, regardless of whether such currently unknown, future injuries arise out of or relate in any way to the injury(ies) each Primary Plaintiff has pleaded in this action. Such understanding shall be, and hereby is, judicially noticed.

BAMUNDO, ZWAL & SCHERMERHORN, LLP

PATTON BOGGS LLP

By: 
James R. Schermerhorn, Esq.
Attorneys for Plaintiffs
111 John Street, Suite 1100
New York, NY 10038

By: 
James E. Tyrrell, Jr., Esq.
Attorneys for all Defendants
The Legal Center
One Riverfront Plaza, Suite 600
Newark, NJ 07102

Dated: February 9, 2011

Dated: February 8, 2011

SO ORDERED, this 14 day of Febr, 2011,


ALVIN K. HELLERSTEIN
United States District Judge

Exhibit A – List of Plaintiffs

No.	Primary Plaintiff		Derivative Plaintiff		Civil Action Nos.	Master Docket
	Last Name	First Name	Last Name	First Name		
1	Berardi	Joseph			09cv10040; 03cv02067	MC100
2	Maksimowich	Jason			09cv10040, 03cv02067	MC100

Exhibit B – List of Settling Defendants

CITY OF NEW YORK, including the:	CRAIG TEST BORING
BOARD OF EDUCATION OF THE CITY OF NEW YORK	CRITICOM INTERNATIONAL CORP
BOROUGH OF MANHATTAN COMMUNITY COLLEGE	DAKOTA DEMO-TECH
CITY UNIVERSITY OF NEW YORK	DESIMONE CONSULTING ENGINEERS, PLLC
NEW YORK CITY DEPARTMENT OF EDUCATION	DCM ERECTORS, INC.
NEW YORK CITY SCHOOL CONSTRUCTION AUTHORITY	DIAMOND POINT EXCAVATION CORP
A RUSSO WRECKING	DIEGO CONSTRUCTION
ACROW	DIVERSIFIED CARTING
ALLCOM ELECTRIC	DMT ENTERPRISE
AMEC CONSTRUCTION MANAGEMENT, INC.	D'ONOFRIO GENERAL CONTRACTORS CORP.
AMEC EARTH AND ENVIRONMENTAL	EAGLE LEASING & INDUSTRIAL SUPPLY (SEASONS)
ANTHONY CORTESE SPECIALIZED HAULING LLC	EAGLE ONE ROOFING CONTRACTORS, INC.
ASG PEST CONTROL	EAGLE SCAFFOLDING CO. (SEASONS)
ATC GROUP SERV/DBA ATC ASSOCIATES	EJ DAVIES, INC.
ATLANTIC HEYDT CORP.	EN-TECH CORP.
ATLAS CONCRETE	ENTERTAINMENT PARTNERS
AVANTI DEMOLITION & CARTING CORP.	ET ENVIRONMENTAL
BECHTEL CONSTRUCTION, INC.	EVERGREEN RECYCLING OF CORONA (EROC)
BERGEN CONCRETE CUTTING	EWELL W. FINLEY, P.C.
BERKEL & CO. CONTRACTORS, INC.	EXECUTIVE MED SERVICES, PC
BIG APPLE WRECKING & CONSTRUCTION	F&G MECHANICAL CORPORATION
BOVIS LEND LEASE LMB, INC.	FELIX EQUITIES, INC.
BREEZE CARTING	FLEET TRUCKING
BREEZE NATIONAL, INC.	FRANCIS A. LEE EXTERIOR RESTORATION
BRER FOUR TRANSPORTATION	FRANK MICELLI JR CONTRACTING
BURO HAPOLD CONSULT ENG.	FTI TRUCKING
C & D FIREPROOFING	G & G CONTRACTING, INC.
C & D PAINTING, INC.	GILSANZ, MURRAY, & STEFICEK
C.B. CONTRACTING CORP.	GINO CRACOLICI & SONS, INC.
CANRON CONSTRUCTION CORP.	GOLDSTEIN ASSOCIATES PLLC
CANTOR SEINUK GROUP	GRACE INDUSTRIES
CERTIFIED FENCE CORP.	GUY NORDENSON AND ASSOCIATES
CIVETTA COUSINS	HALLEN WELDING SERVICE
CLARCO ENTERPRISE CORP.	HELMSMAN MANAGEMENT SERVICES, INC.
COMPONENT ASSEMBLY SYS	HGC CONTRACTING CORP.
COORDINATED METALS, INC.	HIGH RISE HOISTING AND SCAFFOLDING
CORD CONTRACTING CO., INC.	HIGH-RISE ELECTRIC, INC.

HP ENVIRONMENTAL
JP EQUIPMENT RENTAL MATERIALS, INC.
KEVIN MCMANUS
KOCH SKANSKA, INC.
LAQUILLA CONSTRUCTION, INC.
LASTRADA GENERAL CONTRACTING CORP.
LESLIE E. ROBERTSON ASSOCIATES
LIBERTY MUTUAL GROUP
LIRO
LOCKWOOD, KESSLER & BARTLETT (LKB)
LUCIUS PITKIN
LZA TECH-DIVISION OF THORTON TOMASETTI
M. G. MCLAREN, P.C.
MANAFORT BROTHERS, INC.
MAZZOCCHI WRECKING, INC.
MEDCOR, INC.
MENT BROTHERS
MERIDIAN CONSTRUCTION GROUP
MG MCLAREN P.C.
MORETRENCH AMERICAN, CORP.
MRA ENGINEERING, PC
MUESER RUTLEDGE CONSULTING ENGINEERS
MUSCO SPORTS LIGHTING, LLC
NACIREMA INDUSTRIES
NEW YORK CRANE & EQUIPMENT CORP.
NICHOLSON CONSTRUCTION CO.
NICHOLSON/HEYWOOD JOINT VENTURE
OFF ROAD WELDING, INC.
THE OFFICES OF JAMES RUDERMAN, LLP
OLYMPIC PLUMBING AND HEATING
OVE ARUP & PARTNERS
PARSON GROUP
PETER SCALAMANDRE & SONS
PINNACLE ENVIRONMENTAL
PLAZA CONSTRUCTION CORP.
PRO SAFETY SERVICES, LLC
PT & L CONTRACTING CORP.
REGIONAL SCAFFOLD & HOISTING CO, INC.
RICH MARK ENVIRONMENTAL SERVICES, INC.

ROBER SILMAN ASSOCIATES
ROBERT C STEWART
ROBERT ERRAT
ROBERT L GEROSA
RODAR ENTERPRISES, INC.
ROYAL GM, INC.
SAB TRUCKING
SAFEWAY ENVIRONMENTAL
SEMCOR EQUIPMENT
SEVERUD ASSOCIATES CONSULTING ENGINEERS
SHELDRAKE ORGANIZATION, INC.
SILVERADO CONTRACTORS
SILVERITE CONTRACTING
SIMPSON, GUMPERTZ, & HEGER
SKIDMORE, OWINGS & MERRILL LLP
STAR DELTA ELECTRIC
STIER, ANDERSON & MALONE
SUMMIT STRUCTURES LLC
TELENET COMMUNICATIONS
THYSSEN KRUPP ELEVATOR CO.
TOMASETTI GROUP
TORETTA TRUCKING
TOTAL SAFETY CONSULTING LLC
TUCCI EQUIPMENT RENTAL CORP
TULLY CONSTRUCTION
TURNER CONSTRUCTION COMPANY
ULTIMATE DEMOLITION/CS HAULING (JOINT VENTURE)
UNITED STATES REBAR
VANGUARD EQUIPMENT RENTALS
VERTICAL TECHNOLOGIES
VOLLMER ASSOCIATES
W HARRIS & SON INC.
WALTER WHITE TRUCKING
WEEKS MARINE, INC.
WEIDLINGER ASSOCIATES
WHITNEY CONTRACTING
WOLKOW BRAKER ROOFING
YANNUZZI & SONS, INC.
YONKERS CONTRACTING
YORK HUNTER CONSTRUCTION, LLC
ZIEGENFUSS DRILLING